



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117 · (Fax) 479-936-5401
www.rogersar.gov

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: February 27, 2018

The following committee meetings will be held on Tuesday, February 27, 2018 prior to the City Council meeting:

5:45 p.m. - RESOURCE & POLICY COMMITTEE: (Hayes, Reithemeyer and Wright)
Committee Room #1

To Discuss: (a) An Ordinance Amending Provisions of Code of Ordinances, City of Rogers, Arkansas Concerning Competitive Bidding; Declaring an Additional Professional Service for Section 2-468 of the Code of Ordinances, City Of Rogers, Arkansas

6:00 p.m. - TRANSPORTATION COMMITTEE: (Kruger, Townzen and Carmichael)
Committee Room #1

To Discuss: (a) Request from Kendrick Fincher Hydration for Life to close street for the Kendrick Fincher Hydration for Life 5K on Saturday, May 12, 2018
(b) Request from CAC of Benton County to close streets for the Cherishing Children Glow Run on Friday, April 20, 2018
(c) A Resolution Authorizing a Contract with Gateway Planning of Dallas, TX in an Amount Not to Exceed \$60,000 for Professional Consulting Services Associated with the Updating of the Comprehensive Growth Map and the Creation of a Pinnacle Hills Overlay District; Amending the 2018 Budget to Appropriate Up to \$60,000 from General Fund Reserves to Acct. #100-18-70830

6:15 p.m. - PUBLIC WORKS COMMITTEE: (Townzen, Wright and Kendall) Committee Room #1

To Discuss: (a) Monthly Report from RWU

6:15 p.m. - FINANCE COMMITTEE: (Reithemeyer, Wolf and Kendall) **Committee Room #2**

- To Discuss:
- (a) A Resolution Amending the 2018 Budget; Recognizing Grant Funds from the Arkansas Department of Health in the Amount of \$15,979 into Acct. #100-04-45305; Appropriating that Same Amount into Acct. #100-04-70105

 - (b) A Resolution Amending the 2018 Budget; Recognizing Grant Funds from the National Development Research Institute in the Amount of \$20,000 into Acct. #100-04-45600; Appropriating that Same Amount into Acct. #100-04-70020

 - (c) A Resolution Amending the 2017 Budget to Appropriate General Fund Reserves in the Amount of \$114,963 to Various Accounts

 - (d) A Resolution Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$1,572,813 to Various Account

 - (e) A Resolution Amending the 2018 Budget to Recognize Grant Proceeds in the Amount of \$2,083,151 and Appropriate said Grant Proceeds and Airport Fund Reserves in the Amount of \$2,227,406 to Various Accounts

 - (f) A Resolution Amending the 2018 Budget to Appropriate General Fund Reserves in the Amount of \$5,948,814 to Various Accounts

 - (g) A Resolution Amending the 2018 Budget to Appropriate Animal Kennel Fund Reserves in the Amount of \$9,000 to Acct. #360-60-80100

 - (h) A Resolution Amending the 2018 Budget to Appropriate ACT 988 Fund Reserves in the Amount of \$78,000 to Acct. #339-39-80100



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ROGERS CITY COUNCIL

AGENDA

FEBRUARY 27, 2018

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: February 13, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. ORD. Re: Amending Provisions of Code of Ordinances, City of Rogers, Arkansas Concerning Competitive Bidding; Declaring an Additional Professional Service for Section 2-468 of the Code of Ordinances, City Of Rogers, Arkansas - Resource & Policy Committee
- 2. RES. Re: Amending the 2018 Budget; Recognizing Grant Funds from the Arkansas Department of Health in the Amount of \$15,979 into Acct. #100-04-45305; Appropriating that Same Amount into Acct. #100-04-70105 - Finance Committee
- 3. RES. Re: Amending the 2018 Budget; Recognizing Grant Funds from the National Development Research Institute in the Amount of \$20,000 into Acct. #100-04-45600; Appropriating that Same Amount into Acct. #100-04-70020 - Finance Committee
- 4. RES. Re: Amending the 2017 Budget to Appropriate General Fund Reserves in the Amount of \$114,963.00 to Various Accounts - Finance Committee

ROGERS CITY COUNCIL AGENDA

FEBRUARY 27, 2018

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5. RES. Re: Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$1,572,813.00 to Various Account - Finance Committee
6. RES. Re: Amending the 2018 Budget to Recognize Grant Proceeds in the Amount of \$2,083,151.00 and Appropriate said Grant Proceeds and Airport Fund Reserves in the Amount of \$2,227,406.00 to Various Accounts - Finance Committee
7. RES. Re: Amending the 2018 Budget to Appropriate General Fund Reserves in the Amount of \$5,948,814.00 to Various Accounts - Finance Committee
8. RES. Re: Amending the 2018 Budget to Appropriate Animal Kennel Fund Reserves in the Amount of \$9,000.00 to Acct. #360-60-80100 - Finance Committee
9. RES. Re: Amending the 2018 Budget to Appropriate ACT 988 Fund Reserves in the Amount of \$78,000.00 to Acct. #339-39-80100 - Finance Committee
10. RES. Re: Authorizing a Contract with Gateway Planning of Dallas, TX in an Amount Not to Exceed \$60,000.00 for Professional Consulting Services Associated with the Updating of the Comprehensive Growth Map and the Creation of a Pinnacle Hills Overlay District; Amending the 2018 Budget to Appropriate Up to \$60,000 from General Fund Reserves to Acct. #100-18-70830 - Transportation Committee

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting the Final Plat of Fox Briar Subdivision, Phase 2 - Frieda Bell

ROGERS CITY COUNCIL AGENDA

FEBRUARY 27, 2018

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2. ORD. Re: Rezoning from A-1 to R-O, 5.43 Acres North of the Intersection of Arapaho Drive and New Hope Road (Thomas L. Moore Living Trust) - Bill Watkins

APPOINTMENTS:

ANNOUNCEMENTS:

AN ORDINANCE AMENDING PROVISIONS OF CODE OF ORDINANCES, CITY OF ROGERS, ARKANSAS CONCERNING COMPETITIVE BIDDING; DECLARING ADDITIONAL PROFESSIONAL SERVICES FOR SECTION 2-468 OF THE CODE OF ORDINANCES, CITY OF ROGERS, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREFORE, Arkansas Code § 19-11-801(c) authorizes the City to “elect to not use competitive bidding for other professional services” adopted by a 2/3 vote of the City Council;

WHEREFORE, certain municipal planning, urban design, and land regulation maps, documents, and codes are required by State law to be compiled and adopted, and it is essential that the City utilize consultants with specialized knowledge of the Northwest Arkansas, Rogers, our codes, and the sentiments and day-to-day lives of our citizens; and

WHEREFORE, the buildings that accommodate and house the varied services the City provides to the public require vastly different cleaning and janitorial needs, many of which can only be supplied by specialized providers skilled and certified in the areas to which they will be assigned.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: Code of Ordinances, City of Rogers, Arkansas § 2-468(b) is amended to add additional subsections to read as follows:

(b)(21) Consulting services for municipal planning, urban design, and land regulation; and

(b)(22) Janitorial and cleaning services.

Section 2 – Emergency Clause: The need to amend the City Code is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES,
Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director, Department of Community Development

Jennifer A. Waymack, Senior Staff Attorney

Prepared by: Jennifer A. Waymack, Senior Staff Attorney

RESOLUTION NO. R 18-_____

A RESOLUTION AMENDING THE 2018 BUDGET; RECOGNIZING GRANT FUNDS FROM THE ARKANSAS DEPARTMENT OF HEALTH IN THE AMOUNT OF FIFTEEN THOUSAND NINE HUNDRED SEVENTY-NINE DOLLARS (\$15,979.00) IN ACCOUNT NUMBER 100-04-45305 STATE GRANT REVENUE; APPROPRIATING THAT SAME AMOUNT TO ACCOUNT NUMBER 100-04-70105 MEDICAL EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Fire Department has been awarded annual grant funds in the amount of fifteen thousand nine hundred seventy-nine dollars (\$15,979.00) by the Arkansas Department of Health;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROGERS, ARKANSAS THAT:

Section 1: The 2018 Budget of the City of Rogers is hereby amended to recognize annual grant revenue in the amount of fifteen thousand nine hundred seventy-nine dollars (\$15,979.00) in Account Number 100-04-45305;

Section 2: The 2018 Budget is further amended to appropriate said fifteen thousand nine hundred seventy-nine dollars (\$15,979.00) to Account Number 100-04-70105 Medical Expense;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2018.

APPROVED:

C, GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Thomas Jenkins, Fire Department
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R 18-_____

A RESOLUTION AMENDING THE 2018 BUDGET; RECOGNIZING GRANT FUNDS FROM THE NATIONAL DEVELOPMENT RESEARCH INSTITUTE IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) IN ACCOUNT NUMBER 100-04-45600 GRANTS AND DONATIONS; APPROPRIATING THAT SAME AMOUNT TO ACCOUNT NUMBER 100-04-70020 HEALTH AND WELLNESS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Fire Department has been awarded grant funds in the amount of twenty thousand dollars (\$20,000.00) by the National Development Research Institute;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROGERS, ARKANSAS THAT:

Section 1: The 2018 Budget of the City of Rogers is amended to recognize grant revenue in the amount of twenty thousand dollars (\$20,000.00) in Account Number 100-04-45600;

Section 2: The 2018 Budget is further amended to appropriate said twenty thousand dollars (\$20,000.00) to Account Number 100-04-70020 Health and Wellness;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2018.

APPROVED:

C, GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Thomas Jenkins, Fire Department
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-18_____

A RESOLUTION AMENDING THE 2017 BUDGET TO APPROPRIATE GENERAL FUND RESERVES IN THE AMOUNT OF ONE HUNDRED FOURTEEN THOUSAND NINE HUNDRED SIXTY-THREE DOLLARS (\$114,963.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviews the final budget for unanticipated expenses during the year; and

WHEREAS, the Fire department noted instances of expenses that were unanticipated and resulted in the need for additional appropriations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2017 Budget** is amended to appropriate one hundred fourteen thousand nine hundred sixty-three dollars (\$114,963.00) from general fund reserves into the following accounts:

Department	Account	Account Title	Increase
Fire	100-04-60105	Salaries and Wages	\$ 35,325
Fire	100-04-70165	Vehicle Maintenance	\$ 79,638

Section 2: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE STREET FUND RESERVES IN THE AMOUNT OF ONE MILLION FIVE HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$1,572,813.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2017 final budget verses actual spending for street expenditures pending at year-end; and

WHEREAS, the street department identified appropriations approved in 2017 where the payment of the expense will not occur until 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate one million five hundred seventy-two thousand eight hundred thirteen dollars (\$1,572,813.00) from street fund reserves into the following accounts for carryover projects and unspent grants/donations:

Account	Account Title	In the Amount of
200-16-70308	Engineering Expense	\$ 26,906
200-16-70945	Street Light Installation	\$ 17,050
200-16-70965	Street Sign Expense	\$ 75,755
200-16-70980	Disaster Relief	\$ 94,964
200-16-80100	Capital Expenditures	\$ 60,122
200-16-80105	Capital – Trail System	\$ 200,716
200-16-80115	Lake Atalanta Improvements	\$ 86,675
200-16-84529	Razorback Greenway Trail	\$ 1,010,625

Section 2: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2018 BUDGET TO RECOGNIZE GRANT PROCEEDS IN THE AMOUNT OF TWO MILLION EIGHTY-THREE THOUSAND ONE HUNDRED FIFTY-ONE DOLLARS (\$2,083,151.00) AND APPROPRIATE SAID GRANT PROCEEDS AND AIRPORT FUND RESERVES IN THE AMOUNT OF TWO MILLION TWO HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED SIX DOLLARS (\$2,227,406.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2017 final budget verses actual spending for airport revenues and expenditures pending at year-end; and

WHEREAS, Airport identified grant revenues and appropriations approved in 2017 where the receipt of the grant proceeds or payment of the expense will not occur until 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended recognize grant proceeds in the amount of two million eighty-three thousand one hundred fifty-one dollars (\$2,083,151.00):

Account	Account Title	In the Amount of
315-15-48050	Federal Grant	\$ 213,831
315-15-48050	Federal Grant	\$ 1,869,320

Section 2: The **2018 Budget** is amended to appropriate two million two hundred twenty-seven thousand four hundred six dollars (\$2,227,406.00) from grant proceeds and airport fund reserves into the following accounts for carryover projects and unspent grants/donations:

Account	Account Title	In the Amount of
315-15-80100	Capital Expenditures	\$ 88,213
315-15-81135	Airport Runway Rehab	\$ 38,556
315-15-81136	Taxilane Apron Construction	\$ 2,078,437
315-15-81137	Capital Project 37	\$ 22,200

Section 3: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE GENERAL FUND RESERVES IN THE AMOUNT OF FIVE MILLION NINE HUNDRED FORTY-EIGHT THOUSAND EIGHT HUNDRED FOURTEEN DOLLARS (\$5,948,814.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2017 final budget verses actual spending for expenditures pending at year-end; and

WHEREAS, various departments identified appropriations approved in 2017 where the payment of the expense will not occur until 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate five million nine hundred forty-eight thousand eight hundred fourteen dollars (\$5,948,814.00) from general fund reserves into the following accounts for carryover projects and unspent grants/donations:

Department	Account	Account Title	In the Amount of
Administration	100-01-60105	Salaries and Wages	\$ 25,160
Administration	100-01-61150	FICA Expense	\$ 1,925
Administration	100-01-61155	Retirement Expense- APERS	\$ 6,424
Administration	100-01-70210	Improvements and Furnishings	\$ 19,814
Administration	100-01-70260	Public Relations	\$ 12,000
Administration	100-01-70297	Historic District Grant Expense	\$ 1,202
Administration	100-01-70300	Solid Waste	\$ 6,996
Administration	100-01-70305	Legal and Contingencies	\$ 33,196
Administration	100-01-80120	City Hall Renovation	\$ 111,121
Police	100-03-84005	Capital Radio System	\$ 3,600,000
Library	100-06-70155	Buildings & Grounds	\$ 42,278
Parks and Recreation	100-08-80107	Pinnacle Hills Open Spac	\$ 686,689
Parks and Recreation	100-08-80115	Lake Atalanta Improvements	\$ 165,996
Parks and Recreation	100-08-84511	Frisco Park	\$ 805,668
Information Systems	100-09-70250	Computer Expense	\$ 17,163
Museum	100-10-70155	Building & Grounds	\$ 6,941
Museum	100-10-80122	Museum Expansion	\$ 225,002
Adult Wellness	100-11-70995	Donation/Grant Expense	\$ 5,584
District Court	100-12-70251	Court Automation Expense	\$ 157,500
District Court	100-12-70268	Professional Services	\$ 14,750
District Court	100-12-70840	Court Mediation	\$ 3,405

Section 2: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE ANIMAL KENNEL FUND RESERVES IN THE AMOUNT OF NINE THOUSAND DOLLARS (\$9,000.00) TO ACCOUNT NUMBER 360-60-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2017 final budget verses actual spending for animal kennel fund expenditures pending at year-end; and

WHEREAS, the animal services department identified appropriations approved in 2017 where the payment of the expense will not occur until 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate nine thousand dollars (\$9,000.00) from animal kennel fund reserves to account number 360-60-80100 capital expenditures for carryover projects and unspent grants/donations.

Section 2: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2018 BUDGET TO APPROPRIATE ACT 988 FUND RESERVES IN THE AMOUNT OF SEVENTY-EIGHT THOUSAND DOLLARS (\$78,000.00) TO ACCOUNT NUMBER 339-39-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2017 final budget verses actual spending for ACT 988 fund expenditures pending at year-end; and

WHEREAS, the police department identified appropriations approved in 2017 where the payment of the expense will not occur until 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS THAT:

Section 1: The **2018 Budget** is amended to appropriate seventy-eight thousand dollars (\$78,000.00) from Act 988 fund reserves to account number 339-39-80100 capital expenditures for carryover projects and unspent grants/donations.

Section 2: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Casey Wilhelm, Director of Finance
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GATEWAY PLANNING OF DALLAS, TEXAS, IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000.00) FOR PROFESSIONAL CONSULTING SERVICES ASSOCIATED WITH THE UPDATING OF THE COMPREHNSIVE GROWTH MAP AND THE CREATION OF A PINNACLE HILLS OVERLAY DISTRICT; AMENDING THE 2018 BUDGET TO APPROPRIATE UP TO SIXTY THOUSAND DOLLARS (\$60,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT NUMBER 100-18-70830 CONTRACT SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the City desires to update the 2011 Comprehensive Growth Map to ensure viable, well-planned, and strategic growth for the City of Rogers; and

WHEREAS, the area in the vicinity of I-49 near the New Hope Road interchange presents unique planning considerations, and therefore, the City desires to create the Uptown Rogers development district to address the unique planning needs of this area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The Mayor may enter into a contract with Gateway Planning for consulting services associated with the updates to the Comprehensive Growth Map and developing the Pinnacle Hills Overlay District in an amount not to exceed sixty thousand dollars (\$60,000.00);

Section 2: The sum of sixty thousand dollars (\$60,000.00) is appropriated from General Fund Reserves into Account # 100-18-70830- Contract Services,

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: John McCurdy, Director, Department of Community Development
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Transportation Committee

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE ACCEPTING THE FINAL PLAT OF
FOXBRIAR SUBDIVISION, PHASE 2
ROGERS, BENTON COUNTY, ARKANSAS,
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for Foxbriar Subdivision, Phase 2, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 29 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN FOR THE NE CORNER OF THE SE 1/4, OF SECTION 18, T-19-N, R-29-W, THENCE N88°49'01"W 289.37 FEET TO A FOUND IRON PIN FOR THE POINT OF BEGINNING, THENCE S05°39'41"E 885.21 FEET TO A FOUND IRON PIN; THENCE N88°14'22"W 113.48 FEET TO A FOUND IRON PIN; THENCE S03°22'08"W 238.24 FEET TO A FOUND IRON PIN; THENCE S89°34'27"W 124.86 FEET TO A FOUND IRON PIN; THENCE N80°23'58"W 40.26 FEET TO A FOUND IRON PIN; THENCE S89°34'31"W 206.48 FEET TO A FOUND IRON PIN; THENCE N83°08'00"W 40.33 FEET TO A FOUND IRON PIN; THENCE S89°34'27"W 109.53 FEET TO A FOUND IRON PIN; THENCE N02°21'38"W 777.36 FEET TO A FOUND IRON PIN; THENCE S88°21'41"E 155.18 FEET TO A FOUND IRON PIN; THENCE N01°50'44"E 343.46 FEET TO A FOUND IRON PIN; THENCE S88°50'54"E 426.62 FEET TO THE POINT OF BEGINNING, CONTAINING 14.35 ACRES, MORE OR LESS. SUBJECT TO ANY RIGHTS OF WAY OR EASEMENTS OF RECORD OR FACT.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

SECTION 1: The Final Plat of Foxbriar Subdivision, Phase 2, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to

exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: _____, 2018

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 to R-O , PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that certain lands hereinafter described are better suited for R-O zoning.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

SECTION 1: That Rogers Code Section 14-675 should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as R-O and that said lands being in Benton County, Arkansas, are described as:

Lots 1, 3, 5, 6, 7, and 8 Glen Vista Addition, Rogers, Arkansas.

LAYMAN'S DESCRIPTION: Part of the NE Corner of Arapaho and New Hope.

SECTION 3: **Zoning.** That the above described lands are better suited for R-O than A-1 zoning and same should be and are hereby zoned R-O.

SECTION 4: **Emergency clause.** That because the City is herein zoning property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 4: **Severability Provision.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: **Repeal of Conflicting Ordinances and Resolutions.** All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2018.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR